# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

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) CIVIL ACTION NO.
) 18-cv-11192-WGY
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) Joint Motion Requesting
) Cancellation of Scheduled ADR
) Mediation
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# JOINT MOTION REQUESTING CANCELLATION OF SCHEDULED ADR MEDIATION

For the reasons set forth herein, the parties hereby respectfully request that the Court cancel the mediation in this case, currently scheduled for February 16, 2023:

- 1. Upon joint request of the parties (Doc. 202), the Court referred this case to Magistrate Judge Boal for Alternative Dispute Resolution ("ADR") and administratively closed the case while ADR was ongoing. (Doc. 204; Doc. 205).
- 2. On December 5, 2022, prior to the mediation, Magistrate Judge Boal held a preliminary conference, during which she ordered the parties to meet and confer about the productivity of ADR and exchange opening settlement offers. (Doc. 209.)
- 3. Magistrate Judge Boal continued the preliminary conference to December 7, 2022; during that conference, the parties requested to reschedule the preliminary ADR conference and the ADR session itself in order to continue to evaluate whether mediation efforts would be productive. (*See* Doc. 210.) Magistrate Boal rescheduled ADR to February 16, 2023. (*Id.*)

3. The parties have complied with Magistrate Judge Boal's instructions at the December 7, 2022 hearing. As a result of those conversations, the parties have determined that ADR would not be productive at this time.

Accordingly, the parties jointly request that the Court cancel the ADR conference (currently scheduled for February 16, 2023).

Respectfully submitted this 9th day of February, 2023.

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# **LOCAL RULE 7.1(a)(2) CERTIFICATION**

The undersigned counsel for Defendant Grand Canyon University certifies that the parties have conferred and jointly seek the relief sought via this motion.

/s/ Steven M. Gombos Steven M. Gombos

# **CERTIFICATE OF SERVICE**

I hereby certify that on this day I filed a true and correct copy of the within and foregoing with the Clerk of Court using the Court's CM/ECF system, which will automatically serve all counsel of record.

On this 9th day of February, 2023.

/s/ Steven M. Gombos
Steven M. Gombos